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**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re  CASH CLOUD, INC., dba COIN CLOUD,  Debtor.	Case No. BK-S-23-10423-MKN Chapter 11  <b>STIPULATION REGARDING (I) DEBTOR’S                  FIRST OMNIBUS MOTION FOR ENTRY OF                  ORDER APPROVING REJECTION OF                  EXECUTORY CONTRACTS AND UNEXPIRED                  LEASES PURSUANT TO 11 U.S.C. § 365(a) AND                  DISPOSAL OF CERTAIN PERSONAL                  PROPERTY INCLUDING ABANDONMENT                  AND (II) DEBTOR’S SECOND OMNIBUS                  MOTION FOR ENTRY OF ORDER                  APPROVING REJECTION OF EXECUTORY                  CONTRACTS AND UNEXPIRED LEASES                  PURSUANT TO 11 U.S.C. § 365(a) AND                  DISPOSAL OF CERTAIN PERSONAL                  PROPERTY INCLUDING ABANDONMENT</b>
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Cash Cloud, Inc. (“Cash Cloud” or “Debtor”), debtor and debtor in possession in the above-captioned chapter 11 case (the “Chapter 11 Case”), by and through its undersigned counsel, Fox Rothschild LLP, and Enigma Securities Limited (“Enigma”), by and through its undersigned counsel, Morrison & Foerster LLP and Shea Larsen (collectively, the “Parties”), hereby enter into this *Stipulation Regarding (I) Debtor’s First Omnibus Motion for Entry of Order Approving Rejection of Executory Contracts and Unexpired Leases Pursuant to 11 U.S.C. § 365(a) and Disposal of Certain Personal Property Including Abandonment and (II) Debtor’s Second Omnibus Motion for Entry of Order Approving Rejection of Executory Contracts and Unexpired Leases Pursuant to 11 U.S.C.*

§ 365(a) and Disposal of Certain Personal Property Including Abandonment.

## RECITALS

WHEREAS, Debtor filed the *Debtor's First Omnibus Motion for Entry of Order Approving Rejection of Executory Contracts and Unexpired Leases Pursuant to 11 U.S.C. § 365(a) and Disposal of Certain Personal Property Including Abandonment* [ECF 138] (the "First Omnibus Motion") on February 17, 2023.

WHEREAS, Debtor filed the *Debtor's Second Omnibus Motion for Entry of Order Approving Rejection of Executory Contracts and Unexpired Leases Pursuant to 11 U.S.C. § 365(a) and Disposal of Certain Personal Property Including Abandonment* [ECF 141] (the "Second Omnibus Motion") on February 17, 2023 (the First Omnibus Motion and Second Omnibus Motion are collectively referred to herein as "Omnibus Motions").

WHEREAS, the Omnibus Motions listed numerous executory contracts the Debtor sought to reject and included the name and address of the counterparty to these contracts. To provide additional information for parties, the Debtor also listed in the Omnibus Motions the physical location of each lease being rejected (each, a "Location") and the related kiosk information for that Location.

WHEREAS, based on the additional Location information and kiosk information provided by the Debtor to Enigma, Enigma analyzed which kiosks constituted its collateral (the "Enigma Kiosks").

WHEREAS, based upon the information provided to it by the Debtor, Enigma did not object to the Omnibus Motions, the abandonment of the Enigma Kiosks, or the proposed forms of order granting the Omnibus Motions (the "Proposed Orders").

WHEREAS, the Proposed Orders both provide, in relevant part, as follows:

**ORDERED** that the Remaining Property is abandoned effective as of the date of the filing of the Motion, and **the Remaining Property shall be surrendered and abandoned to the creditors who are secured by the Remaining Property. The Remaining Property may be retrieved by the respective secured creditor from the Location, or any party authorized by the Debtor, within seven (7) days of entry of this Order;** and, after seven (7) days of the date this Order is entered, if the Remaining Property has not been removed, it may be disposed of by the Counterparty[.]

(Emphasis added). “Remaining Property” is defined in the Omnibus Motions and generally includes, among other property, the Enigma Kiosks.

WHEREAS, after the Court granted the Omnibus Motions but before the Proposed Orders were presented to the Court for entry, Enigma discovered that the information regarding the Enigma Kiosks provided to it by the Debtor was inaccurate. Specifically, Enigma determined that (i) there were additional Enigma Kiosks subject to the Omnibus Motions that had not been identified previously as its collateral and (ii) certain kiosks subject to the Omnibus Motions that previously had been identified by the Debtor as Enigma’s collateral were not its collateral.

WHEREAS, in light of the foregoing, Enigma required additional time to arrange for the transport, sale, or other disposition of any Enigma Kiosks that it determined to accept upon abandonment by the Debtor.

WHEREAS, Enigma has requested, and the Debtor has agreed to provide Enigma with, seven (7) additional days to retrieve the Enigma Kiosks, or stated another way, that Enigma be granted a total of fourteen (14) days from entry of the Proposed Orders to retrieve the Enigma Kiosks.

### **STIPULATION**

NOW, THEREFORE, in consideration of the foregoing, the Parties agree as follows:

1. Notwithstanding anything to the contrary set forth in the Proposed Orders, Enigma shall have fourteen (14) days from entry of the Proposed Orders to retrieve the Enigma Kiosks.
2. For the avoidance of doubt, other than as set forth above, all other provisions of the Proposed Orders remain binding and in full force and effect.

*[Signature page follows]*

1 Dated this 27th day of April, 2023.

2 **FOX ROTHSCHILD LLP**

3 By /s/ Jeanette E. McPherson

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15 Dated this 27th day of April, 2023.

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